S/N 09/976,871 Docket DAV01-001 Reply to Office action dated 4/09/2003 09.DOC Page 5

DAV01-001- ROA2 dated 2003-04-

40

This listing of claims will replace all prior versions and listing of the claims in the application:

## **LISTING OF CLAIMS**

J.C.

1. (CURRENTLY AMENDED) An exercising device that is held and rotated in use comprised of a two units unit; each said unit to be held in a hand of a user;

said units each unit comprised of: a handle, an elongated first element attached to said handle, and said elongated first element has at least a first loop; said first loop entirely outside of said handle;

a elongated second element attached to said first loop;



a first segment of said elongated first element that is not part of said first

# loop, is between said handle and said first loop.

- 2. (CURRENTLY AMENDED) The exercise device of claim 1 which further includes a loop forming means for forming said first loop from a portion of said elongated first element.
- 3. (CANCEL)
- 4. (CURRENTLY AMENDED) The exercise device of claim 1 which further includes a loop forming means for forming said first loop from a <u>middle</u> portion of said elongated first element; said loop forming means is located outside of said handle.
- 5. (ORIGINAL) The exercise device of claim 1 wherein said first loop is formed by attaching a first section of said elongated first element to a second section of said elongated first element.

6. (ORIGINAL)The exercise device of claim 1 wherein said first loop is formed by attaching a first section of said elongated first element to a second section of said elongated first element; the distance from the handle to the furthermost point of said elongated first element is between about 10 and 24 inches.

## 7. (Cancel)

## 8. (Cancel)

9.(ORIGINAL) The exercise device of claim 1 wherein said elongated first element is comprised of two or more cords.

10. (ORIGINAL) The exercise device of claim 1 which further includes a loop forming means for forming a loop from a portion of said elongated first element; said loop forming means is located outside of said handle; said elongated first element is comprised of two or more cords.

#### 11. (CANCEL)

- 12. (ORIGINAL) The exercise device of claim 1 wherein the distance from the handle to the furthermost point of said elongated first element is between 10 and 24 inches.
- 13. (ORIGINAL) The exercise device of claim 1 wherein said handle is a portion of said elongated first element.

## 14. (CANCEL)

#### 15. (CANCEL)

16. (ORIGINAL) The exercise device of claim 1 wherein said elongated first element is comprised of a first piece and second piece of flexible material, said first piece is attached to said handle, and said second piece is attached to said first piece; said second piece forms said first loop.



17. (ORIGINAL) The exercise device of claim 1 wherein said elongated first element is comprised of a first cord and second cord; said first cord is attached to said handle, and said second cord is attached to said first cord; said second cord forms said first loop; a loop forming means attaching said first cord to said second cord.

18. (CANCEL)

19. (CANCEL)

20. (ORIGINAL) The exercise device of claim 1 wherein said unit further comprises a plurality of loops; said loops attached directly or indirectly to said handle or to said elongated first element.

21. (CANCEL)

22 . (CURRENTLY AMENDED) The exercise device of claim 1 wherein said unit further comprises a said elongated second element having at least a second loop.; said elongated second element attached directly or indirectly to said handle or to said elongated first element.

23. (CURRENTLY AMENDED) The exercise device of claim 1—wherein which further includes a loop forming means for forming a loop from a portion of said elongated first element; said loop forming means comprises an element selected from the group consisting of: a knot, a snaphook, a boltsnap, a hook, a ook and loop fastener, and screw-together unit.

24. (CANCEL)

25. (ORIGINAL) The exercise device of claim 1 wherein said elongated first element is at least partially covered with a tubular element.

26. (CANCEL)

Claims 27 to 48 previously canceled.

49. (CURRENTLY AMENDED) The exercising device of claim 1 wherein said first loop is formed by a first knot;

an said elongated second element attached to said first loop by said first knot.

50. (CURRENTLY AMENDED) The exercising device of claim 1 wherein said first loop is formed by a first knot;

an said elongated second element has a first end and a second end; said first end of said elongated second element attached to said first loop by said first knot; and

knot.

51. (PREVIOUSLY ADDED) The exercise device of claim 1 which further includes: a loop forming device for forming said first loop from a portion of said first elongated element;

the distance between said first loop forming device and said handle is less than about 2.5 inches;

and

the distance from the bottom of said handle and the furthermost point of said first elongated element is between 10 and 24 inches.

52. (CURRENLTY AMENDED) The exercise device of claim 1 wherein said first loop is formed by attaching a first portion of said elongated first element to a second portion of said

loop, is between said handle and said first loop,

elongated first element;

said first unit further comprises an said elongated second element attached to said first loop at two places;

said first loop and said second elongated second element at least partially covered by a tubular element; said tubular element maintains a spread-open "U" shape at the end of said first loop.

53. (CURRENTLY AMENDED) An exercising device that is held and rotated in use comprised of two units; each unit to be held in a hand of a user;

said units a unit each comprised of: a handle, an elongated first element attached to said handle, and said elongated first element has at least a first loop; said first loop formed by a first loop forming device; said first loop is entirely outside of said handle;

a first segment of said elongated first element that is not part of said first

an elongated second element attached directly or indirectly to: (i) said handle, (ii) said first loop, (iii) to said first loop forming device, or (iv) said elongated first element.

54. (PREVIOUSLY ADDED) The exercise device of claim 53 wherein the distance between said first loop forming device and said handle is less than about 2.5 inches; and

the distance from the bottom of the handle and the furthermost point of said first elongated element is between 10 and 24 inches.

55. (PREVIOUSLY ADDED) The exercise device of claim 53 which further includes said elongated second element attached to said first loop by said first loop forming device and a second loop forming device;

said first loop forming device and said second loop forming device located at about opposite sides of said first loop.

56. (PREVIOUSLY ADDED) The exercise device of claim 53 which further includes said elongated second element attached to said first loop by said first loop forming device and a second loop forming device;

said first and said second look forming devices are knots;

said first loop forming device and said second loop forming device are located at about opposite sides of said first loop.

57. (PREVIOUSLY ADDED) The exercise device of claim 53 which further includes said elongated second element attached to said first loop by said first loop forming device and a second loop forming device;

said first loop forming device is a knot; said second loop forming device is a knot;

said first loop forming device and said second loop forming device located at about opposite sides of said first loop;

the distance between said first loop forming device and said handle is less than about 2.5 inches; and



the distance from the bottom of the handle and the furthermost point of said first elongated element\( \) is between 10 and 24 inches.

- 58. (CURRENTLY AMENDED) The exercise device of claim 53 wherein said first loop and said second elongated second element at least partially covered by a tubular element; said tubular element maintains a spread-open "U" shape at the end of said first loop.
- 59. (PREVIOUSLY ADDED) The exercise device of claim 53 wherein said elongated first element is comprised of two or more cords.

60. (CURRENTLY AMENDED) An exercising device that is held and rotated in use comprised of two units a unit; each unit to be held in a hand of a user;

said units each unit comprised of: a handle, a first chord attached to said handle, said first chord has a first end and a second end; only said first end of said first chord is attached to said handle; a first loop formed by attaching a first section of said first chord to a second section of said first chord using a first loop forming device; said first loop forming device is a first knot; said first loop entirely outside of said handle;

a second elongated second element attached to said first loop by said first knot and a second knot; said second elongated element is comprised of said first chord.

61. (CURRENTLY AMENDED) The exercise device of claim 60 wherein said -second elongated second element is attached to said first loop by said first knot and a second knot; said said elongated second element is a section of said first elongated element; said first knot and said second knot located at about opposite sides of said first loop.

- 62. (CURRENTLY AMENDED) The exercise device of claim 60 wherein said first loop and said second elongated second element are at least partially covered by a tubular element; said tubular element maintains a spread-open "U" shape at the end of said first loop.
- 63. (PREVIOUSLY ADDED) The exercise device of claim 60 wherein the distance between said first loop forming device and said handle is less than about 2.5 inches; and the distance from the bottom of the handle and the furthermost point of said first elongated element is between 10 and 24 inches.

64. (NEWLY ADDED) An exercising device comprised of a unit; said unit comprised of:

a handle and an elongated element attached to said handle;

said elongated element comprised sequentially of a first end, a first segment, a

first attachment point, a second segment, a second attachment point, a third segment, and a

second end;

a first attachment device attaching said first attachment point and said second attachment point to form a loop comprised of said second segment;

a second attachment device attaching (a) an end point on said third segment proximate said second end and (b) a point on said second segment.

- 65. (NEWLY ADDED) The exercising device of claim 64 wherein said handle is attached to said elongated element proximate said first end.
- 66. (NEWLY ADDED) The exercising device of claim 64 wherein said handle is attached to said elongated element by a third attachment device.
- 67. (NEWLY ADDED) The exercising device of claim 64 wherein said first attachment device further attaches said elongated element to said handle.

68. (NEWLY ADDED) An exercising device that is held and rotated in use comprised of a unit; said unit comprised of: a handle and an elongated first element, said elongated first element has a first end and a second end;

said handle attached to said elongated first element proximate said first end; a first loop formed by attaching a first section of said elongated first element to a second section of said elongated first element using a first attachment device;

a segment of said elongated first element with a first segment-end attached to said first loop by said first attachment device; and

a second segment-end equal to said second end that is attached proximate said segment second-end to said first loop by a second attachment device.

- 69. (NEWLY ADDED) The exercising device of claim 68 wherein said segment is a elongated second element.
- 70. (NEWLY ADDED) The exercising device of claim 68 wherein said first attachment device further attaches said elongated first element to said handle.
- 71. (NEWLY ADDED) An exercising device that is held and rotated in use comprised of a unit; said unit comprised of: a handle and an elongated first element, said elongated first element comprised sequentially of a first end, a first section, a second section and a second end;

said handle attached to said elongated first element proximate said first end; a first loop formed by attaching said first section of said elongated first element to said second section of said elongated first element using a first attachment device;

a segment of said elongated first element with a first segment-end at said second section and a second segment-end at said second end; said segment attached proximate said second segment-end to said loop by a second attachment device.

- 72. (NEWLY ADDED) The exercising device of claim 71 wherein said segment is an elongated second element.
- 73. (NEWLY ADDED): The exercising device of claim 71 wherein said first attachment device further attaches said elongated first element to said handle.